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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/761,070
Filing Date	January 20, 2004
First Named Inventor	MD Ennis
Art Unit	1624
Examiner Name	Brenda Libby Coleman
Attorney Docket Number	6237.NCP DV1

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
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<input type="checkbox"/> Affidavits/declaration(s)
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<input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
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<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
A return-receipt postcard is enclosed.
Copy of Information Disclosure Statement from Predecessor Application. |
|--|--|---|

Remarks

Provided herewith is a copy of one or more forms PL-1449 of record in predecessor application Serial No. 09/803,242, filed 8 March 2001, the benefit of which is claimed under 35 USC 120. Copies of references are present in the prosecution history of the referenced application and are not supplied herewith pursuant to 1.98(d).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Pharmacia & Upjohn Company, Mary J. Hosley, Reg. No. 48,324		
Signature	<i>Mary Hosley</i>		
Date	1 April 2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Julie K. Lyons		
Signature	<i>Julie K Lyons</i>	Date	April 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT/Docket No.: 6237.NCP

Serial No.: 09/803242

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CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: November 2, 2001

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Julie K. Lyons, Legal Assistant

Name of Person Mailing Paper

Julie K Lyons
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1614
Examiner :
Applicant(s) : MDennis, RLHoffman, NBGhazal, RMOlson
Serial No. : 09/803242
Filed : 8 March 2001
For : NOVEL 2,3,4,5-TETRAHYDRO-1H[1,4]DIAZEPINO[1,7a]INDOLE COMPOUNDS

Commissioner of Patents and Trademarks
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL
UNDER 37 CFR 1.97 AND 1.98**

Sir:

Information Disclosed. The information disclosed consists of the following:

[X] **Form PL-1449.** Provided herewith are copies of patent(s) and/or publication(s) as listed in the attached form PL-1449.

[X] At least to the extent required under §1.98(a)(3), a concise explanation of the relevance of references listed in form PL-1449 is:

- [] contained in the above-captioned specification as filed;
- [] provided in a communication enclosed with this paper;
- [X] provided in the International Search Report enclosed with this paper; and/or
- [] not necessary as all of the references cited are in the English language.

- ☐ **Disclosure from Predecessor Application.** Provided herewith is a copy (or the copy is already present in the present file wrapper in accordance with §1.53(d)) of one or more forms PL-1449 and/or search/examination reports of record in this or a predecessor application, Serial No. filed, the benefit of which is claimed under 35 USC 120. Copies of references are present in the prosecution history of the referenced application and are not supplied herewith pursuant to §1.98(d).

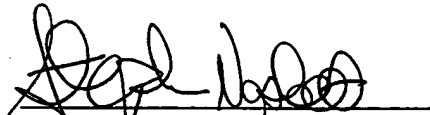
Basis for Consideration. This information disclosure statement is entitled to consideration by the Office under:

- ☒ **§1.97(b)**, as being filed within three months of the filing date of the above-captioned application and/or the date of entry of the National Stage, if later, and/or before the mailing date of the first Office action on the merits. Applicant(s) is/are unaware that any office action has issued in this case. However, in the event a first office action has issued, prior to the mailing of this document, then authorization is given to charge the late fee to the deposit account identified below.
- ☐ **§1.97(c)**, as being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113 and/or the notice of allowance under §1.311.
Consideration of this information disclosure statement at this time is requested for the reason checked below:
- ☐ **Authorization is hereby provided to charge Deposit Account No. 21-0718 the fee set forth in §1.17(p), \$240.00, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.**
- ☐ **A statement as specified in 37 CFR 1.97(e) below.**
- ☐ **§1.97(d)**, as being filed after the period specified in §1.97(c), but on or before payment of the issue fee and is accompanied by:
- ☐ **Authorization to charge Deposit Account No. 21-0718 the fee set forth in §1.17(i), \$130.00, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.**
- ☐ **A petition requesting consideration of the information disclosure statement; and**
- ☐ **A statement as specified in 37 CFR 1.97 (e) below.**
- ☐ **§1.97(e)**, this is a supplemental information disclosure statement. A prior information disclosure statement has already been filed. Applicant certifies, as provided in 37 CFR 1.97 (e), that

- ☐ Each new item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this statement.
- ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing below, after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement.

Disclaimer. In accordance with §1.97(g) and (h), the filing of this information disclosure statement is not to be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56, and is not to be construed as a representation that a search has been made.

Respectfully submitted,


Stephen L. Nesbitt, Attorney
Registration No. 28,981

Date: 11/11/2001

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Telefax No. (616) 833-8897 or (616) 833-2316

Attachment(s)

- ☒ Form 1449 with copies of reference(s)
☐ Form 1449 from predecessor application (no references)
☐ Communication providing concise explanation of relevance
☒ International Search Report



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 6237.NCP		Serial No. 09/803,242		
				Applicant MDennis, RLHoffman, NBGhazal, RMOlson				
				Filing Date 8 March 2001		Group 1614		
U.S. PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	3,689,503	September 5, 1972	BE Reynolds, JR Carson	260	326.13 R	July 30, 1970	
	AB	3,867,374	February 18, 1975	BE Reynolds, JR Carson	260	239 BC	May 28, 1969	
	AC	4,210,590	July 1, 1980	BE Maryanoff, DF McComsey	260	326.11 R	January 6, 1978	
	AD	4,673,674	June 16, 1987	F Gadient	514	220	February 21, 1985	
	AE							
	AF							
	AG							
	AH							
	AI							
FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	AJ	SU 460724 A	July 30, 1989	Russia	C07D	487/04	X	
	AK							
	AL							
	AM							
	AN							
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AO	Baxter, Gordon. "5-HT ₁ receptor subtypes: a family re-united?" <u>Trends in Pharmacological Sciences</u> . Vol. 16, pp. 105-110, 1995.						
	AP	Beletskaya, I.P. "The Cross-coupling Reactions of Organic Halides with Organic Derivatives of Tin, Mercury and Copper Catalyzed by Palladium." <u>Journal of Organometallic Chemistry</u> . Vol. 250, pp. 551-564, 1983.						
	AQ	Bös, Michael. "Novel agonists of 5HT ₂ Receptors. Synthesis and Biological Evaluation of Substituted 2-(Indol-1-yl)-1-methylethylamines and 2-(Indeno [1,2-b] pyrrol-1-yl) methylethylamines. Improved Therapeutics for Obsessive Compulsive Disorder." <u>Journal of Medicinal Chemistry</u> . Vol. 40, No. 7, Pp. 2762-2769, 1997.						
	AR	Bromidge, Steven M. "Novel and Selective 5-HT _{2C/2B} Receptor Antagonists as Potential Anxiolytic Agents: Synthesis, Quantitative Structure-Activity Relationships, and Molecular Modeling of Substituted 1-(3-Pyridylcarbamoyl) indolines." <u>Journal of Medicinal Chemistry</u> .						
	AS	Dekeyne, A., et al. "Discriminative stimulus properties of the novel serotonin (5-HT) _{2C} receptor agonist, RO 60-						



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		Atty. Docket No. 6237.NCP	Serial No. 09/803,242
		Applicant MDennis, RLHoffman, NBGhazal, RMOlson	
		Filing Date 8 March 2001	Group 1614
		0175: a pharmacological analysis." <u>Neuropharmacology</u> . Vol. 38, Pp. 415-423, 1999.	
	AT	De Meijere, A. and F. E. Meyer. <u>Angewandte Chemie International Edition</u> . Vol. 33, Pp. 2379, 1994.	
	AU	Gilchrist, TL., Et. Al. "Benzocarbapenems From Ethyl Indole-2-acetate." <u>Tetrahedron Letters</u> . Vol. 36, No. 47, Pp. 8693-8696, 1995.	
	AV	Glennon, et al. <u>Neuroscience and Behavioral Reviews</u> . Vol. 14, Pp. 35, 1990.	
	AW	Heck, R.F., et al. <u>Journal of Organic Chemistry</u> . Vol. 39, Pp. 3318, 1974.	
	AX	Hoyer, Daniel., et al. "VII. International Union of Pharmacology Classification of Receptors for 5-Hydroxytryptamine (Serotonin)." <u>Pharmacological Reviews</u> . Vol. 46, No. 2, Pp. 157-203, 1994.	
	AY	Jenck, F. et al. "The role of 5-HT ₂ receptors in affective disorders." <u>Expert Opinion on Investigational Drugs</u> . Vol. 7, No. 10, Pp. 1587-1599, 1998.	
	AZ	Kennett, G.A. <u>IDrugs</u> . Vol. 1, No. 4, Pp. 456-470, 1998.	
	BA	Martin, J.R. et al. "5-HT _{2c} Receptor Agonists: Pharmacological Characteristics and Therapeutic Potential." <u>The Journal of Pharmacology and Experimental Therapeutics</u> . Vol. 286, No. 2, Pp. 913-924, 1998.	
	BB	Snieckus, V. <u>Chemical Reviews</u> . Vol. 90, Pp. 897, 1990.	
	BC	Yang, Bryant H. "Palladium-catalyzed amination of aryl halides and sulfonates." <u>Journal of Organometallic Chemistry</u> . Vol. 576, Pp. 125-146, 1999.	
Examiner		Date Considered	